

CROTTY, J

447-07/MBU  
FREEHILL HOGAN & MAHAR, LLP  
Attorneys for Plaintiff  
PHOENIX SHIPPING CORPORATION  
80 Pine Street  
New York, NY 10005  
Telephone: (212) 425-1900  
Facsimile: (212) 425-1901  
Michael E. Unger (MU 0045)  
Lawrence J. Kahn (LK 5215)

USDS SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: DEC 10 2007
--

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
PHOENIX SHIPPING CORPORATION,

07 cv 7886 (PAC)

Plaintiff,

-against-

CONAGRA RESOURCES EUROPE LTD.,

Defendant.  
-----X

**ORDER DIRECTING  
RELEASE OF FUND AND  
DISCONTINUANCE OF  
ACTION**

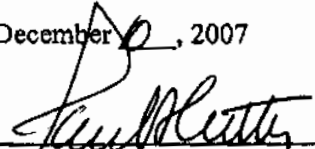
It having been reported to the Court that the parties have settled this matter and no appearance having been made on behalf of the defendant;

IT IS HEREBY ORDERED that any funds restrained pursuant to the Process of Maritime Attachment and Garnishment authorized by this Court's Order dated September 10, 2007, be released to Defendant CONAGRA RESOURCES EUROPE LTD. pursuant to the original wire transfer instructions; and

IT IS FURTHER ORDERED that this action be dismissed with prejudice and without costs as to either party.

SO ORDERED:

December 10, 2007

  
Hon. Paul A. Crotty, U.S.D.J.

NYDOCS1/295186.1